

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES)
)
)
v.) NO. 04-10117-RWZ
)
)
DARREN FRANKLIN)
)

DEFENDANT'S MOTION TO SUPPRESS EVIDENCE

Defendant Darren Franklin, by his attorney, moves this Court, pursuant to Fed. R. Crim. P. 12(b)(3) and upon the attached affidavit of defendant, to suppress the evidence seized from the trunk of his car and from his apartment after his arrest on April 15, 2004, on the grounds, as set forth more fully in the Memorandum of Law filed herewith, that the searches were conducted without a warrant in violation of the Fourth Amendment to the United States Constitution and that they were not justified by any exception to the warrant requirement.

Respectfully submitted,

/s/ Jonathan Shapiro
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Dated: October 14, 2004